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U.S. DISTRICT COURT E.D.N.Y.

★ JUN 03 2021 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Theresa Skillings

Plaintiff,

[Insert full name of plaintiff/prisoner]

-against-

The City of New York

Defendant(s).

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

- I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Theresa Skillings

If you are incarcerated, provide the name of the facility and address:

Prisoner ID Number: _____



CV 21 - 3034

CIVIL RIGHTS COMPLAINT

42 U.S.C. § 1983

JURY DEMAND

YES _____ NO _____

GUJARATI, J.

BLOOM, M.J.

If you are not incarcerated, provide your current address:

187-01 Ludlum Ave
St. Albans, NY 11412

Telephone Number: _____

B. List all defendants. You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1

The City of New York
Full Name

New York City Law Department
Job Title

Office of the Corporation Counsel

100 Church Street
Address New York, NY 10007

Defendant No. 2

Full Name

Job Title

Address

Defendant No. 3

Full Name

Job Title

Address

Defendant No. 4

Full Name

Job Title

Address

Defendant No. 5

Full Name

Job Title

Address

II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? Queens, NY

When did the events happen? (include approximate time and date) October 2015-
to the present.

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Facts: (what happened?) The City's agency, the Administration for Children's Services (ACS) wrongfully charged the plaintiff with educational neglect charges, when she and her child were not residing in New York. The plaintiff's former partner called ACS after an altercation in which he called to report the child not in school. However the plaintiff and her child were not residing in NY, only visiting. The ACS caseworker went to the home of the plaintiff's relatives where she & her child were visiting and state a call was received about the child not in school. The plaintiff explained it was really a domestic violence matter & the call was made by the former partner as a way to harass the plaintiff. The plaintiff explained this to the ACS worker. However the case worker only focused on the child's disability, said the child must receive services for school. Plaintiff was subsequently charged with neglect & the child removed from her custody. This case has been ongoing since 2015.

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Queens, N.Y.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Since October 2015 to the present.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

The City's agency, the Administration for Children's Services (ACS) wrongfully charged the plaintiff with educational neglect charges. The plaintiff's former partner called ACS after an altercation. He called to report the child not in school. However the plaintiff and her child were not residing in N.Y., only visiting. An ACS worker investigated the incident. The plaintiff explained that it was really a domestic violence matter and the call was made by the former partner as a way to harass the plaintiff who was in NY visiting relatives. However the ACS worker focused on the child's disability and said child must receive services for the disability. Plaintiff was subsequently charged with neglect; and the child was removed from her custody. This case has been ongoing since 2015.

III. Relief: State what relief you are seeking if you prevail on your complaint.

Dismissed of ACS' charges, the case closed and the child to be returned to the ~~last~~ full custody of the plaintiff and punitive damages.

While the case is pending, a Preliminary Injunction for the return of the child K.S. to her mother, the plaintiff.

I declare under penalty of perjury that on _____, I delivered this
(date)
complaint to prison authorities at _____ to be mailed to the United
(name of prison)
States District Court for the Eastern District of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 6/3/2021


Signature of Plaintiff

Name of Prison Facility or Address if not incarcerated

187-01 Ludlum Avenue

St. Albans, NY 11412

Address

Prisoner ID#